

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1 and 3 are pending, with Claim 1 being independent. Claims 5 through 16 have been cancelled without prejudice. Claims 1 and 3 have been amended.

Claims 1, 3, 5 through 7, 10 through 12, 15, and 16 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 4,992,817 (Aoyama, et al.). Claims 8, 9, 13, and 14 were rejected under 35 U.S.C. § 103 over Aoyama, et al. in view of previously-cited U.S. Patent No. 5,361,095 (Toshinobu, et al.). All rejections are respectfully traversed.

Claim 1 recites, inter alia, a changing circuit for changing the reading processing control based on a result of a determination of the accumulation condition of the first accumulated cell unit, in combination with performing a reading processing control of a first accumulated cell unit by the control circuit.

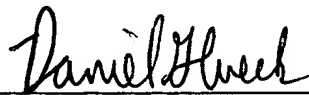
However, Applicant respectfully submits that neither Aoyama, et al. nor Toshinobu, et al., even in combination, assuming, arguendo, that such could be combined, discloses or suggests at least the above-discussed combination of claimed features as recited, inter alia, in Claim 1. It is further respectfully submitted that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed combination of claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in black ink, reading "Daniel S. Glueck", is positioned above a horizontal line.

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